

**UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE**

**IN RE GOOGLE INC. COOKIE  
PLACEMENT CONSUMER PRIVACY  
LITIGATION**

**Case No. 12-MD-2358 (SLR)**

**This Document Relates to:  
ALL ACTIONS**

**DECLARATION OF STEPHEN G. GRYGIEL IN SUPPORT OF MOTION FOR  
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

I, Stephen G. Grygiel, having first been duly sworn, declare:

1. I am the principal of Grygiel Law, LLC, one of the lead counsel appointed by the Court in this MDL, and a member of the Executive Committee in this case. This declaration is based on my own personal knowledge and if called to testify, I could and would competently testify hereto under oath.

2. This declaration is submitted contemporaneously with and in support of Plaintiff's Motion for Preliminary Approval of Class Action Settlement with Defendant Google LLC ("Google"), for certification of a settlement class and for the appointment of Plaintiffs Jose M. Bermudez, Nicholas Todd Heinrich, and Lynn Krause as Class Representatives for the Settlement Class and for the appointment of class counsel to represent the Settlement Class.

3. I submitted a previous declaration in support of this settlement on August 29, 2016 (Doc. 163-2). That Declaration is also attached hereto and incorporated fully by reference.

4. Also on August 29, 2016, my co-lead counsel Brian Strange and James Frickleton submitted declarations in support of this settlement (Doc. 163-1, 163-3). Mr. Strange has also submitted an additional contemporaneous declaration in support of this current motion. I will not

repeat all of the factual statements recited in Mr. Strange's current declaration concerning the history and the terms of the proposed settlement. All of those statements are accurate.

5. Given the tremendous size of the potential class and the issues involved, the parties believe that the distribution of the Settlement Fund to *cy pres* recipients who will agree to use the funds to promote public awareness and education and/or support research, development, and initiatives related to the security and/or privacy of Internet browsers is the best use of the settlement proceeds.

6. Google will also provide Class Counsel with assurances that Google has implemented systems configured to instruct Safari web browsers to expire any cookie placed from the doubleclick.net domain by Google if those systems encounter such a cookie, with the exception of the doubleclick opt-out cookie, until all cookies placed from the doubleclick.net domain by Google on Safari web browsers through February 15, 2012 should have expired by design.

7. On November 16, 2012, this Court appointed my prior firm as one of the lead counsel in this MDL pursuant to Rule 23(g)(3) of the Federal Rules of Civil Procedure. I have substantial experience as a lead counsel in large class actions, including, without limitation, in privacy rights cases such as this one. I have served as co-lead counsel in this case since then.

8. The Court's file (*see, e.g.*, Doc. 163-2) reflects the experience in complex civil and class action litigation that gave rise to my appointment as co-lead counsel in this case and I will not repeat it here. For example, my previous Declaration in Support of Motion for Attorneys' Fees, Expenses and Incentive Awards, filed on December 7, 2016 (Doc. 168-4) summarizes the work I have done in this case that provides the basis for my conclusion that this settlement is fair, adequate and reasonable, in the best interest of the class members, and warrants approval. My experience in numerous other class actions also supports that conclusion.

9. As described in the Declaration of Amanda Sternberg, class notice requirements in this case are satisfied. The best notice practicable under the circumstances was directed to class members. No class members, including the sole objector to the prior settlement, objected to the type or efficacy of the notice served to the class.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 3rd day of January, 2019, at Baltimore, Maryland.

/s/ Stephen G. Grygiel